



Dkt. 0655/73507 *DAE*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jacob LAMM, et al.

Serial No. : 10/775,260

Group Art Unit: 2122

Date Filed : February 9, 2004

For : SYSTEM AND METHOD FOR SELF-SUPPORTING APPLICATIONS

1185 Avenue of the Americas  
New York, New York 10036

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 1.137(b)  
TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**

It is respectfully requested that the above-identified patent application be revived to pending status pursuant to the provisions of Rule 1.137(b). It became abandoned as of December 6, 2004 because of an inadvertent failure to file a properly signed oath or declaration in compliance with 37 CFR 1.63 in response to the Notice to File Missing Parts of Application dated May 6, 2004. The entire delay was unintentional.

Enclosed is a copy of the Notice, a check for the \$1500 petition fee, a Response to the Notice to File Missing Parts, a properly signed Declaration and Power of Attorney, an Assignment, an Assignment Recordation Form Cover Sheet, and a check for the \$40 recordation of assignment fee.

The Commissioner is authorized to charge any other fees in connection with this petition or credit any overpayment to our Deposit Account No. 03-3125.

01/26/2005 HDEMESS1 00000045 10775260

02 FC:1453

1500.00 0P

Respectfully submitted,

RICHARD F. JAWORSKI, Reg. No. 33515  
Attorney for Applicants  
Cooper & Dunham LLP  
Tel.: (212) 278-0400

I hereby certify that this paper is being deposited this date with the U.S. Postal Service, as first class mail addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Richard F. Jaworski  
Reg. No. 33,515

*January 21, 2005*  
Date



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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION – FILING DATE GRANTED**

In response to the Notice to File Missing Parts of Nonprovisional Application-Filing Date Granted dated May 6, 2004, Applicants hereby transmit (i) copy of the PTO Notice, (ii) Declaration and Power of Attorney, and (iii) check for \$130 surcharge for late filing of the Declaration.

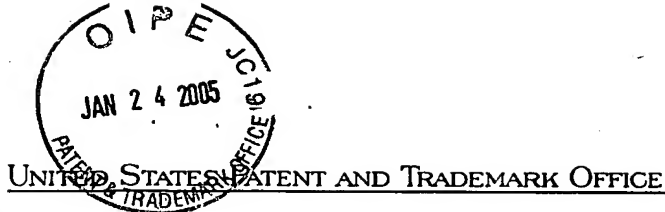
The Declaration enclosed herewith contains the Name of Inventor(s), Title of Invention, Serial Number, and Filing Date, as well as international application number and international filing date, thereby adequately identifying the above-identified application in accordance with 37 C.F.R. 1.63 and 37 C.F.R. 1.497.

The Commissioner is authorized to charge any additional fees, or to credit any overpayment, to our Deposit Account No. 03-3125.

Respectfully submitted,

RICHARD F. JAWORSKI  
Reg. No. 33,515  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, N.Y. 10036  
Tel.: (212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
	January 21, 2005
Richard F. Jaworski Reg. No. 33,515	Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/775,260	02/09/2004	Jacob Lamm	56129861-234

26453  
BAKER & MCKENZIE  
805 THIRD AVENUE  
NEW YORK, NY 10022

CONFIRMATION NO. 1243

FORMALITIES LETTER



\*OC000000012557757\*

Date Mailed: 05/06/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

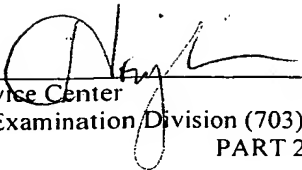
Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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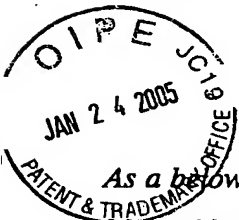


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEM AND METHOD FOR SELF-SUPPORTING APPLICATIONS

(Title of Invention)

the specification of which:  
(check one)

\_\_\_\_\_ is attached hereto.

X was filed on February 9, 2004

Application Serial No. 10/775,260

and was amended by \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Number

Country

Filing Date

Yes

No

\_\_\_\_\_

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.Filing DateStatus60/446,770February 11, 2003Pending

And I hereby appoint Ivan S. Kavrukov (Reg. No. 25161); Christopher C. Dunham (Reg. No. 22031); Norman H. Zivin (Reg. No. 25385); John P. White (Reg. No. 28678); Robert D. Katz (Reg. No. 30141); Peter J. Phillips (Reg. No. 29691); Richard S. Milner (Reg. No. 33970); Richard F. Jaworski (Reg. No. 33515); Paul Teng (Reg. No. 40837), and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036 (Tel. 212-278-0400), my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected herewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to:

Richard F. Jaworski Reg. No. 33,515  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor Jacob LAMM

Inventor's signature 

Citizenship United States of America Date of signature 1/13/05

Residence 1341 E. 3<sup>rd</sup> Street 40, Brooklyn, New York, 11239, USA

Post Office Address Same as Residence

Full name of inventor Marvin WASCHKE

Inventor's signature 

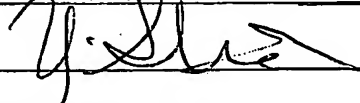
Citizenship United States of America

Date of signature 1/11/05

Residence 5439 Waschke Road, Bellingham, Washington 98226, USA

Post Office Address Same as Residence

Full name of inventor Yaakov SHAPIRO

Inventor's signature 

Citizenship United States of America

Date of signature 1/17/2005

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Post Office Address Same as Residence